

Weare Open Space Committee Minutes

August 22, 2006

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Present at this evenings meeting were: Andrea Alderman, George Malette, Steve Najjar, Mike Boyko, and John Ciampi.

Commencement: Steve called the meeting to order at 7:10 PM.

Minutes of 6-27-06- The members reviewed the minutes of 6-27-06 and the following changes were suggested: in the Oliphant Property Update paragraph, 7th line up from the bottom of said paragraph, strike the wording “*so it would be an added cost to the Town*”. John made motion to approve the minutes with the recommended changes, and George 2nd. All voted in favor, the motion carries and the approved minutes of 6-27-06 now become the final version.

Oliphant Property Update- Mike gave an update to the Oliphant Land Issue, and he reported thusly: He related that not much has transpired within the last month, and he continues to say that Henry Tiffany’s offer of \$80,000 is now in limbo. The PWA is meeting this evening to discuss the Oliphant Issue, and Mike intends to contact Margaret Watkins, executive director of the PWA, tomorrow, in order to discern where this matter sits with the PWA. Mike feels it would be a real stretch for the PWA to secure a loan for \$80,000. Margaret asked Mike’s opinion of what would happen in the event Henry defaulted on his monetary loan, and asked if the Town would pick up the tab. Mike responded he sees no point in bringing it to the Committee, or taking it further to the BOS or Town Council because Mike doesn’t feel the Town can be obligated to be responsible for the loan. Besides, Henry is not well known to the PWA, and even if Henry were to procure a secured loan, for instance on his house, the PWA distains any interest in owning any of Mr. Tiffany’s real estate. The PWA did indicate, however, there is the possibility that their board members would agree to an unsecured loan for \$20,000. On another note, Mike related he isn’t sure the role Paul Doscher, Executive Director for Land Protection for the Forest Society, is playing in this land issue, and, as Mike explained, Mr. Doscher initially seemed interested in approaching the neighbors of Tom Oliphant for financial support; however, Paul felt it better to delay approaching the neighbors until after this evenings PWA meeting. Obviously, Mike stated, Paul is waiting for the result of PWA’s meeting to see where the dust settles. Consensus bore out this evening that PWA will not put up the \$80,000, but a figure closer to \$20,000 would be more realistic, and in this case, Paul will make solicitations to cover the remainder of the \$80,000.

Steve posed that the Town chunk off the 10 acre house lot and then wondered what it might be worth on today’s market. Mike argued that may not be the best

course of action because there are plenty of other lots in town that can be split off and sold. George brought up that Mr. Oliphant had mentioned trying his hand at becoming a developer, and George would agree to Tom retaining, for example, 25 acres. George added that the bargain sale at the donation level has gone from 30% to 60% of one's income which translates to a better tax advantage. Mike doesn't feel it would affect Tom very much because even at \$100,000, the tax break would be minimal. Andrea asked if an accountant's advice were sought concerning this new tax code. Mike responded that the accountant involved in this matter is Leonie (sp), and Mike doesn't know if he has been approached on this matter. Mike is of the opinion that Tom is not very organized, nor does he want to front any money toward the surveying costs, venturing to say those costs are Tom's responsibility. Mike related Paul Doscher's theory concerning a Purchase and Sales Agreement, which is to lock in the money in order to acquire as much a time frame as possible. Margaret Watkins, on the other hand, has a different theory, which she asks, "do we really want to tie up our money, and if another offer surfaces within the next month or so, the bargaining chips are limited, restricting any 'wiggle room' concerning negotiations?". Mike agrees with Margaret's reasoning, and then he wished aloud that there were another land opportunity in the works so it could be used as a bargaining chip. Steve felt Paul is at least partially right in his theory, because once the funds are "locked in", Tom cannot sell to a third party, and, Steve continued, a "bail-out" clause can be built into the offer, provided it is acceptable to Tom.

Mike stated that a recent advantage for the Town is that housing market prices are dropping, and so far, 10% in Portland Maine, in which Mike suggested, can be construed as a harbinger of future market trends. Subsequently, Mike feels the Town's position will strengthen as time advances. Mike mused that he doesn't know why Mr. Oliphant is trying to squeeze the Town's coffer further as he is already asking top dollar of \$330,000.00 for his property. Steve raised the concern that the Committee, at this point in time, does not know the true value in the Conservation Fund, and as a further complication, the \$50,000.00 owed to the Conservation Fund from the NH Fish and Game has not been received, and at this time there is no indication when that will happen. Mike feels that the next logical step is to correspond with Paul to ascertain his position on this matter. George mentioned that with Tom's property on a gravel road and with descending market prices, he is not in an enviable bargaining position. Mike brought up that Margaret Watkins intends to speak with Tom, and his wife who is also involved in decision making on this issue, after tonight's PWA meeting.

Non Public Session - Andrea made motion to enter into non public session pursuant to RSA 91-A:3,IIId, for the express purpose of discussing monetary amounts pertaining to the Oliphant Property. John 2nd, all voted in favor, and the meeting enters into non public session at 7:37 PM. The transcription of this session will be provided separately to the Land Use Coordinator, Naoimi Bolton.

Andrea made motion to exit the non-public session, and John 2nd. The non-public session ended at 7:56 PM. Andrea made motion to seal and restrict the non-public minutes pursuant to RSA 91-A:3III. Mike 2nd, all voted in favor, and the motion carries. The meeting now reverts to public session.

Eastman Update – Steve gave an overview of the latest developments pertaining to the Eastman Property. Steve revealed that he and Margaret Watkins circumscribed the “community activity” portion of the property in order to accurately define it. NH Fish and Game will receive a report on these bounds which will hopefully complete the necessary paperwork so Fish and Game can proceed to Governor and Council for final approval. George and Tom Carr were planning to draw up a cursory plan of the parking area along with the included driveway. Carl Knapp is required to contact the State for final approval. John broached the topic of hiring a forester for the Eastman Property, to which Steve responded that a contract needs to be drawn up beforehand, and it will take about a year before a forester’s services can be utilized.

New Ideas (or “what’s next?”) - The following bulleted items summarize the conversation that transpired during this segment of tonight’s meeting:

- John suggested perusing Town maps, to which Steve replied the maps should be updated. Andrea stated she has a call in to cartographics concerned with purchasing new maps and to estimate a cost.
- Steve brought up there is available a parcel of land on the market for an estimated \$390,000.00 on Buckley Rd.
- George wondered aloud the current value of the Conservation Fund.
- Mike suggested sending out another round of letters searching for potential land conservation candidates.
- If a favorable land deal is discovered, a March warrant article could appeal to the voters for financial assistance, rather than relying too heavily on the Conservation Fund.
- Steve noted this evening that Andrea has been making contact with the folks who manage the Town tax maps, procuring fresh data as Town circumstances and cartographics are constantly changing.
- George suggested creating a section for the OSC on the Conservation Commission web page detailing the Committee’s accomplishments in land conservation land acquisitions which may stimulate needed support from the taxpayers.
- Andrea hopes to have available the updated GIS information in time for the next WCC meeting.
- George has a call in to the Cooperative Extension Office to Amanda Stone, in order to ascertain what informational data is available pertaining to developing a Natural Resource Inventory.
- The Committee suggested tweaking the previous town wide mailing to possibly target landowners who own less than 50 acres.
- Mike suggested to continue searching for bargain sales, or to determine even if there are in fact any bargain sales out there.
- Andrea questioned that even if there is no specific targeted property under consideration, should the Committee still approach the voters in March? Consensus felt it would be more discerning to have in mind a particular property.
- Steve felt it beneficial to the cause to invest some thought into fund raising ideas.

- Mike expounded that land values are only raising, so it may be futuristically necessary to pay near or full market value for land.
- Steve entertained the notion of negotiating away a fragmented lot at a time in order to pay for more desirable unfragmented blocks of land, to which George stated he would support that approach if all other avenues floundered.

Commencement – Andrea made motion to adjourn, and Mike 2nd. All voted in favor, and with no further business at hand this evening, Steve adjourned the meeting at 8:32 PM.

Respectfully Submitted,

John Ciampi
Recording Secretary

cc: Tina Pelletier
Town Clerk
WOSC Files
BOS